

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 619

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INFORMATION TRANSPORT CONTRACTORS; AMENDING SECTION 54-1001, IDAHO CODE, TO PROVIDE THAT CERTAIN INSTALLATIONS SHALL BE MADE SUBSTANTIALLY IN ACCORD WITH THE NATIONAL ELECTRIC CODE AND STANDARDS THAT MAY BE ADOPTED BY THE IDAHO ELECTRICAL BOARD, TO CLARIFY LANGUAGE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-1001D, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1002, IDAHO CODE, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR CERTAIN ENTITIES TO ACT OR ATTEMPT TO ACT AS AN INFORMATION TRANSPORT CONTRACTOR UNTIL SUCH ENTITY SHALL HAVE RECEIVED A CERTAIN LICENSE, TO PROVIDE REQUIREMENTS FOR CERTAIN INSTALLATIONS, AND TO PROVIDE FOR EXCEPTIONS, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO ACT AS AN INFORMATION TRANSPORT TECHNICIAN UNTIL SUCH PERSON SHALL HAVE RECEIVED A CERTAIN LICENSE, TO PROVIDE FOR EXCEPTIONS, TO REVISE PROVISIONS RELATING TO JURISDICTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1003, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY SHALL HAVE CERTAIN AUTHORITY OVER INFORMATION TRANSPORT CONTRACTORS, INFORMATION TRANSPORT TECHNICIANS, INFORMATION TRANSPORT TRAINEES OR INFORMATION TRANSPORT HELPERS; AMENDING SECTION 54-1003A, IDAHO CODE, TO PROVIDE FOR CLASSIFICATIONS OF INFORMATION TRANSPORT CONTRACTOR, INFORMATION TRANSPORT TECHNICIAN, INFORMATION TRANSPORT TRAINEE AND INFORMATION TRANSPORT HELPER AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1003B, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RULES AND INSPECTIONS AND TO PROVIDE FOR CERTAIN RULES; AMENDING SECTION 54-1006, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMPOSITION OF THE IDAHO ELECTRICAL BOARD AND TO REVISE PROVISIONS RELATING TO CERTAIN RULES; AMENDING SECTION 54-1007, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ISSUANCE OF LICENSES, TO PROVIDE FOR RULES, AND TO PROVIDE FOR AN EXCEPTION; AMENDING SECTION 54-1008, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DURATION OF LICENSES; AMENDING SECTION 54-1009, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE REVOCATION OR SUSPENSION OF LICENSES; AMENDING SECTION 54-1010, IDAHO CODE, TO PROVIDE THAT CERTAIN CONTRACTORS SHALL BE REQUIRED TO HAVE A CERTAIN LICENSE, TO PROVIDE THAT CERTAIN INSTALLATIONS BE PERFORMED BY OR UNDER THE SUPERVISION OF A LICENSEE, TO PROVIDE THAT THE OWNER OF AN INFORMATION TRANSPORT CONTRACTING BUSINESS MAY ACT AS HIS OWN INFORMATION TRANSPORT TECHNICIAN AND TO PROVIDE FOR A LIST; AMENDING SECTION 54-1013, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RENEWAL OF LICENSES AND TO REVISE PROVISIONS RELATING TO INACTIVE LICENSES; AMENDING SECTION 54-1014, IDAHO CODE, TO REVISE FEES; AMENDING SECTION 54-1016, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EXEMPTIONS; AND AMENDING SECTION 54-1017, IDAHO CODE, TO REVISE PROVISIONS RELATING TO VIOLATIONS OF LAW.

1 Be It Enacted by the Legislature of the State of Idaho:

2 SECTION 1. That Section 54-1001, Idaho Code, be, and the same is hereby  
3 amended to read as follows:

4 54-1001. DECLARATION OF POLICY. (1) From and after the taking effect  
5 of this act, all installations in the state of Idaho of wires and equipment  
6 to convey, whose primary function is the conveyance of electric current  
7 and installations of apparatus to be operated by such current, except  
8 as hereinafter provided, shall be made substantially in accord with the  
9 National Electrical Code of 1971, as approved by the American National  
10 Standards Institute, relating to such work as far as the same cover both  
11 fire and personal injury hazards, and as the National Electrical Code shall  
12 be amended, revised, compiled and published from time to time and as such  
13 amendments or revisions are adopted by the Idaho electrical board.

14 (2) On and after the effective date of this act, except as otherwise  
15 provided for in section 54-1016, Idaho Code, all installations in the  
16 state of Idaho of wires, cable and equipment, referred to hereinafter as  
17 information transport systems, whose primary function is the conveyance  
18 of information, communication or signals, shall be made substantially in  
19 accord with the National Electrical Code and standards that may be adopted  
20 by the Idaho electrical board.

21 SECTION 2. That Section 54-1001D, Idaho Code, be, and the same is hereby  
22 amended to read as follows:

23 54-1001D. INSPECTIONS OF MODULAR BUILDINGS -- WHEN AUTHORIZED --  
24 APPROVAL AND CERTIFICATION. (1) Notwithstanding the exemption provided in  
25 subsection (~~1~~2) (c) of section 54-1016, Idaho Code, the administrator of the  
26 division of building safety may make electrical inspections of any modular  
27 building upon written request from the manufacturer.

28 (a) Inspections shall be made in accordance with the codes adopted in  
29 this chapter.

30 (b) Inspection fees shall be as provided in section 39-4303, Idaho  
31 Code.

32 (c) The administrator may issue inspection tags for inspections if the  
33 buildings are in compliance with the codes adopted in this chapter.

34 (2) The administrator of the division of building safety is hereby  
35 authorized to make inspections of electrical installations as set forth  
36 herein and to issue inspection tags covering such installations.

37 SECTION 3. That Section 54-1002, Idaho Code, be, and the same is hereby  
38 amended to read as follows:

39 54-1002. LICENSE ESSENTIAL TO ENGAGE IN BUSINESS -- LICENSURE  
40 AUTHORITY EXCLUSIVE TO THE STATE. (1) It shall be unlawful for any person,  
41 partnership, company, firm, association or corporation, to act, or attempt  
42 to act, as an electrical contractor or special electrical contractor in  
43 this state until such person, partnership, company, firm, association or  
44 corporation, shall have received a license as an electrical contractor, as

herein defined, issued pursuant to the provisions of this chapter by the administrator of the division of building safety.

(2) It shall be unlawful for any person to act as a journeyman electrician in this state until such person shall have received a license as a journeyman electrician, as herein defined, issued pursuant to the provisions of this act, by the administrator of the division of building safety, provided, however, that any person who has been issued a master electrician's license pursuant to this chapter may act as a journeyman electrician.

(3) It shall be unlawful for any person to act as a specialty electrician in this state until such person shall have received a license as a specialty electrician, as herein defined, issued pursuant to the provisions of this act, by the administrator of the division of building safety, provided however, that any person who has been issued a master electrician's license or a journeyman electrician's license pursuant to this act may act as a specialty electrician.

(4) It shall be unlawful for any person, partnership, company, firm, association or corporation, to act or attempt to act as an information transport contractor in this state until such person, partnership, company, firm, association or corporation shall have received a license as an information transport contractor, as herein defined, issued pursuant to the provisions of this chapter by the administrator of the division of building safety. Each information transport contractor shall have at least one (1) individual licensed as an information transport technician who shall be responsible for the supervision of information transport system installations.

(a) No provisions of this chapter shall restrict a licensed electrical contractor from performing the work of an information transport contractor.

(b) No provisions of this chapter shall restrict a licensed specialty electrical contractor who holds a limited energy electrical license from engaging in the installation of information transport systems provided that any such installation is an integral part of a limited energy system.

(5) It shall be unlawful for any person to act as an information transport technician in this state until such person shall have received a license as an information transport technician issued pursuant to the provisions of this chapter, by the administrator of the division of building safety.

(a) No provisions of this chapter shall restrict a licensed electrical journeyman or master electrician from performing the work of an information transport technician.

(b) No provisions of this chapter shall restrict a licensed specialty electrical journeyman employed by a specialty electrical contractor who holds a limited energy license from engaging in the installation of information transport systems provided that any such installation is an integral part of a limited energy system.

(6) Licensure of electrical contractors, journeyman electricians, master electricians, specialty electricians, specialty electrical contractors, information transport contractors, information transport

1 technicians and registration of apprentice electricians, information  
 2 transport trainees, information transport helpers and specialty electrical  
 3 trainees shall be within the exclusive jurisdiction of the state pursuant  
 4 to this chapter and no local jurisdiction shall have the authority to  
 5 require additional licensure or to require payment of any fees in order  
 6 for any licensee to engage in the electrical construction trade within  
 7 the local jurisdiction or to issue licenses to persons licensed under this  
 8 chapter which are inconsistent with the provisions of this chapter or rules  
 9 promulgated by the division of building safety. The state shall investigate  
 10 all local infractions and state violations of this chapter and prosecute  
 11 the same. The local jurisdictions will assist the state by requesting  
 12 investigations within their jurisdictions. ~~Nothing in~~ No provisions of this  
 13 chapter shall restrict a city or county from imposing stricter public safety  
 14 rules, notwithstanding any provision of Idaho Code.

15 SECTION 4. That Section 54-1003, Idaho Code, be, and the same is hereby  
 16 amended to read as follows:

17 54-1003. ADMINISTRATOR AUTHORITY. (1) Only the administrator of  
 18 the division of building safety of the state of Idaho is authorized and  
 19 empowered to conduct examinations and to pass upon the qualifications  
 20 of applicants, and to grant and issue licenses or registrations to such  
 21 applicants as are found to be qualified to engage in the trade, business  
 22 or calling of a journeyman electrician, electrical contractor, master  
 23 electrician, specialty electrician, specialty electrical contractor,  
 24 specialty electrical trainee or apprentice electrician, information  
 25 transport contractor, information transport technician, information  
 26 transport trainee or information transport helper in the manner and upon the  
 27 terms and conditions hereinafter provided.

28 (2) No licenses granted hereunder shall be transferable. Licenses  
 29 shall be issued upon the condition that the holder thereof shall comply with  
 30 all provisions of this chapter.

31 (3) The administrator of the division of building safety is authorized  
 32 to impose civil penalties as provided in this chapter.

33 SECTION 5. That Section 54-1003A, Idaho Code, be, and the same is hereby  
 34 amended to read as follows:

35 54-1003A. ~~DEFINITIONS~~ CLASSIFICATION OF COMPETENCY. (1) Electrical  
 36 Contractor. Except as provided in section 54-1016, Idaho Code, any person,  
 37 partnership, company, firm, association or corporation engaging in,  
 38 conducting, or carrying on the business of installing wires or equipment  
 39 to carry electric current or installing apparatus to be operated by such  
 40 current, or entering into agreements to install such wires, equipment or  
 41 apparatus, shall for the purpose of this act be known as an electrical  
 42 contractor. An electrical contractor, prior to being issued a license,  
 43 shall be required to provide proof of liability insurance in the amount  
 44 of three hundred thousand dollars (\$300,000) and proof of worker's  
 45 compensation insurance if applicable.

46 (2) Journeyman Electrician. Except as provided in section 54-1016,  
 47 Idaho Code, and subsections (3), (4), (5) and (6) of this section, any person

1 who personally performs or supervises the actual physical work of installing  
 2 electric wiring or equipment to convey electric current, or apparatus to be  
 3 operated by such current, shall, for the purpose of this act, be known as a  
 4 journeyman electrician.

5 (3) Apprentice Electrician. Any person who, for the purpose of  
 6 learning the trade of journeyman electrician, engages in the installation  
 7 of electric wiring, equipment, or apparatus while under the constant  
 8 on-the-job supervision of a qualified journeyman electrician shall, for the  
 9 purpose of this act, be known as an apprentice electrician.

10 (4) Maintenance Electrician. Any person who is regularly employed  
 11 to service, maintain or repair electrical apparatus, or to make minor  
 12 repairs or alterations to existing electrical wires or equipment located  
 13 on his employer's premises shall, for the purpose of this act, be known as a  
 14 maintenance electrician.

15 (5) Master Electrician. A person who has the necessary qualifications,  
 16 training, experience and technical knowledge to plan, ~~layout~~ lay out  
 17 design the installation of electrical wiring or equipment, or to supervise  
 18 such planning, layout, or design, and who performs or supervises such  
 19 planning, layout or design, shall, for the purpose of this act, be known as a  
 20 master electrician.

21 (6) Specialty Electrician. A person having the necessary  
 22 qualifications, training, experience and technical knowledge to install,  
 23 alter, repair and supervise the installing, altering or repairing of special  
 24 classes of electrical wiring, apparatus or equipment within categories  
 25 adopted by the board. Specialty electricians shall perform work only within  
 26 the scope of the specialty category for which the person is licensed.

27 (7) Specialty Electrical Contractor. Except as provided in section  
 28 54-1016, Idaho Code, any person, partnership, company, firm, association  
 29 or corporation engaging in, conducting or carrying on the business of  
 30 installing, altering or repairing special classes of electrical wiring,  
 31 apparatus or equipment within categories adopted by the board or entering  
 32 into agreements to perform such specialty work, shall for the purpose of this  
 33 act be known as a specialty electrical contractor. Specialty electrical  
 34 contractors shall perform work only within the scope of the specialty  
 35 category for which the contractor is licensed. A specialty electrical  
 36 contractor, prior to being issued a license, shall be required to provide  
 37 proof of liability insurance in the amount of three hundred thousand dollars  
 38 (\$300,000) and proof of worker's compensation insurance if applicable.

39 (8) Specialty Electrical Trainee. Any person who, for the purpose of  
 40 learning the trade of a specialty electrician, engages in the installation  
 41 of electrical wiring, equipment or apparatus while under the constant  
 42 on-the-job supervision of a qualified specialty electrician shall, for the  
 43 purpose of this act, be known as a specialty electrical trainee.

44 (9) Information Transport Contractor. Except as provided in section  
 45 54-1016, Idaho Code, any person, partnership, company, firm, organization,  
 46 association or corporation engaging in conducting or carrying on the  
 47 business of installing, altering or repairing information transport systems  
 48 or entering into agreements to perform such work, shall for the purposes  
 49 of this chapter be known as an information transport contractor. An  
 50 information transport contractor, prior to being issued a license, shall

1 be required to provide proof of liability insurance in the amount of three  
 2 hundred thousand dollars (\$300,000) and proof of worker's compensation  
 3 insurance, if applicable.

4 (10) Information Transport Technician. A person having the necessary  
 5 qualifications, training, experience and technical knowledge to install,  
 6 alter, repair and supervise the installing, altering or repairing of  
 7 information transport systems, apparatus or equipment as determined,  
 8 adopted and applied by the Idaho electrical board. An information transport  
 9 technician shall perform work or supervise work only within the scope of the  
 10 category for which the person is licensed.

11 (11) Information Transport Trainee. Any person who, for the purpose of  
 12 learning the trade of an information transport technician, engages in the  
 13 installation of equipment or apparatus while under the supervision of an  
 14 information transport technician, shall for the purposes of this chapter, be  
 15 known as an information transport trainee.

16 (12) Information Transport Helper. Any person who engages in the  
 17 installation of equipment or apparatus while under the supervision of an  
 18 information transport technician, shall for the purposes of this chapter, be  
 19 known as an information transport helper.

20 SECTION 6. That Chapter 10, Title 54, Idaho Code, be, and the same is  
 21 hereby amended by the addition thereto of a NEW SECTION, to be known and  
 22 designated as Section 54-1003B, Idaho Code, and to read as follows:

23 54-1003B. DEFINITIONS. For the purposes of this chapter, the  
 24 following terms shall have the following meanings:

25 (1) "Information transport systems" means communications systems that  
 26 include an electronic and/or structured cabling component; communications  
 27 circuits, wires and electronic apparatus that include telecommunications  
 28 systems, telephone and PBX systems; data communications systems; telegraph  
 29 facilities; audio-visual, sound, public address and intercom systems;  
 30 radio and television systems, antenna systems; and other systems as  
 31 identified in the National Electrical Code. These systems may begin at  
 32 the customer side of the access provider demarcation point and encompass  
 33 all forms of information generation, processing and transporting of  
 34 signals conveyed electronically or optically within or between buildings,  
 35 including voice, data, video and audio. These systems include compatible  
 36 connecting hardware, telecommunications circuits and equipment, premises  
 37 switching equipment, infrared, fiber optic, radio-frequency, and other  
 38 interconnections associated with communications systems or appliances.

39 (a) Information transport systems may include structured cabling used  
 40 to interface with and provide external communications circuits for fire  
 41 and security alarm systems, intrusion alarms, access control systems,  
 42 patient monitoring systems, energy management control systems,  
 43 industrial and automation control systems or HVAC/refrigeration  
 44 control systems using internet protocol, time-division-multiplexing  
 45 or analog technologies.

46 (b) Information transport systems do not include fire and security  
 47 alarm systems, class 2 and class 3 signaling circuits, key card  
 48 operators, nurse call systems, motor and electric apparatus controls

1 or landscape sprinkler controls as covered under limited energy  
2 electrical specialties.

3 (2) "Structured cabling systems" means generic telecommunications  
4 cabling systems for commercial buildings that support a multiproduct,  
5 multivendor environment. These systems may include horizontal cabling,  
6 backbone cabling, work area cabling, telecommunications and equipment room  
7 cabling, entrance facilities cabling and associated pathways. The system  
8 may be comprised of metallic or fiber optic cable and includes termination  
9 hardware. These systems are designed to support voice, video, audio and data  
10 communications.

11 (3) "Electrical installations" means any installation covered by the  
12 National Electrical Code as adopted by the Idaho electrical board.

13 (4) "Limited energy systems" means fire and security alarm systems,  
14 class 2 and class 3 signaling circuits, key card operators, nurse call  
15 systems and motor and electrical apparatus controls.

16 SECTION 7. That Section 54-1005, Idaho Code, be, and the same is hereby  
17 amended to read as follows:

18 54-1005. RULES -- INSPECTIONS -- INSPECTION TAGS AND FEES. (1) The  
19 administrator of the division of building safety is hereby authorized and  
20 directed to enforce rules consistent with this act for the administration  
21 of this act and to effectuate the purposes thereof, and for the examination  
22 and licensing of electrical contractors, journeyman electricians,  
23 master electricians, specialty electricians, specialty electrical  
24 contractors, specialty electrical trainees, ~~and~~ apprentice electricians,  
25 information transport contractors, information transport technicians,  
26 information transport trainees and information transport helpers and to  
27 make inspections of electrical and information transport installations  
28 referred to in section 54-1001, Idaho Code, and to issue inspection tags  
29 covering such installations, and to collect the fees established therefor.

30 (2) The administrator of the division of building safety may make  
31 electrical or information transport inspections for another state or  
32 local jurisdiction upon request by an appropriate building official. Such  
33 inspections shall be made in accordance with the applicable electrical codes  
34 of the requesting jurisdiction. Fees charged for such inspection services  
35 shall be as provided in the rules promulgated by the board.

36 (3) Individuals, firms, cooperatives, corporations, or municipalities  
37 selling electricity, hereinafter known as the power supplier, shall not  
38 connect with or energize any electrical installation, coming under the  
39 provisions of this act, unless the owner or a licensed electrical contractor  
40 has delivered to the power supplier an inspection tag, issued by the  
41 administrator, covering the installation to be energized. Immediately  
42 after an installation has been energized, the power supplier shall deliver  
43 to the administrator or his authorized agent, the inspection tag covering  
44 such installation.

45 (4) It shall be unlawful for any person, partnership, company, firm,  
46 association or corporation other than a power supplier, to energize any  
47 electrical installation coming under the provisions of this act unless an  
48 application for an electrical inspection tag, covering such installation,

1 together with the inspection fee herein provided, has been forwarded to the  
2 administrator.

3 (5) The Idaho electrical board shall prescribe and amend rules  
4 requiring electronic certification of structured cabling systems subject to  
5 the exemptions provided for in section 54-1016, Idaho Code.

6 SECTION 8. That Section 54-1006, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 54-1006. IDAHO ELECTRICAL BOARD. (1) The Idaho electrical board,  
9 hereinafter known as the board, is hereby created and made a part of the  
10 division of building safety. It shall be the responsibility and duty of the  
11 administrator of the division of building safety to administer and enforce  
12 the provisions of this act, and to serve as secretary to the Idaho electrical  
13 board.

14 (2) The board shall consist of ~~nine ten~~ (910) members to be appointed  
15 by the governor with power of removal for cause. Two (2) members shall  
16 be licensed journeymen or master electricians; two (2) members shall be  
17 employees or officers of licensed electrical contractors; one (1) member  
18 shall be a licensed specialty journeyman or contractor; one (1) member shall  
19 be a licensed information transport contractor or a licensed information  
20 transport technician whose primary business is the installation, repair and  
21 maintenance of information transport systems, and who is not an electrical  
22 contractor, specialty electrical contractor, journeyman electrician,  
23 master electrician or specialty electrical journeyman; one (1) member shall  
24 be an employee or officer of an electrical power provider; one (1) member  
25 shall be an employee or officer of a manufacturing plant or other large power  
26 user; one (1) member shall be an employee or director of a manufacturer or  
27 distributor of electrical supplies or materials; and one (1) member shall  
28 be from the public at large not directly associated with the electrical or  
29 information transport industry. Board members shall be appointed for a term  
30 of four (4) years. Members of the board shall hold office until expiration of  
31 the term to which the member was appointed and until his successor has been  
32 duly appointed and qualified. Whenever a vacancy occurs, the governor shall  
33 appoint a qualified person to fill the vacancy for the unexpired portion of  
34 the term.

35 (3) All members of the board shall be citizens of the United States,  
36 residents of this state for not less than two (2) years and shall be  
37 qualified by experience, knowledge and integrity in formulating rules for  
38 examinations, in passing on the fitness and qualifications of applicants  
39 for electrical contractor and journeyman electrician licenses and in  
40 establishing standards for electrical products to be used in electrical  
41 installations coming under the provisions of this act.

42 (4) The members of the board shall, at their first regular meeting  
43 following the effective date of this act and every two (2) years thereafter,  
44 elect by majority vote of the members of the board, a chairman who shall  
45 preside at meetings of the board. In the event the chairman is not present  
46 at any board meeting, the board may by majority vote of the members present  
47 appoint a temporary chairman. A majority of the members of the board shall  
48 constitute a quorum.



(5) The board is authorized and directed to prescribe and amend rules consistent with this act for the administration of this chapter and to effectuate the purpose thereof, and for the examination, ~~and~~ licensing and registration of electrical contractors, journeyman electricians, master electricians, specialty electricians, specialty electrical contractors, specialty electrical trainees, ~~and~~ apprentice electricians, information transport contractors, information transport technicians and information transport trainees. The board shall also establish the classifications for specialty electrician and specialty electrical contractor licensing and the fees to be charged for permits and inspections of electrical systems. The board shall establish by administrative rule the fines to be paid for citations issued and shall hear appeals regarding the imposition of civil penalties for violations of this chapter and the rules of the Idaho electrical board. The board is authorized to affirm, reject, decrease or increase the penalty imposed by the administrator. However, in no case shall the penalty exceed one thousand dollars (\$1,000) for each offense.

(6) Each member of the board not otherwise compensated by public moneys shall be compensated as provided by section 59-509(h), Idaho Code.

SECTION 9. That Section 54-1007, Idaho Code, be, and the same is hereby amended to read as follows:

54-1007. ISSUANCE OF LICENSES -- RECIPROCITY. (1) The administrator shall issue licenses to such persons as have by examination shown themselves to be fit, competent and qualified to engage in the trade of journeyman electrician, specialty electrician, ~~or~~ master electrician or information transport technician as defined in section 54-1003A, Idaho Code, and to such persons, firms, partnerships, associations or corporations as have shown themselves to be fit, competent and qualified to engage in the business of electrical contracting, ~~or~~ specialty electrical contracting or information transport contracting as defined in section 54-1003A, Idaho Code.

(a) The board shall prescribe rules as necessary for the establishment of the education, work experience and testing requirements for information transport technicians and information transport trainees as defined in section 54-1003A, Idaho Code.

(b) No program or period of apprenticeship shall be required for an information transport helper working under the supervision of an information transport technician.

(2) An apprentice electrician, as defined in section 54-1003A, Idaho Code, may take the journeyman's examination if he has completed the required related instruction for electrical apprentices as approved by the Idaho state board for professional-technical education, completion of which shall be evidenced by a certificate from an approved provider, and has worked the number of hours as prescribed by the Idaho electrical board, provided that for all the time he is claiming to have worked as an apprentice electrician, the apprentice shall have been registered with the division of building safety as an apprentice. The electrical board may, by rule, fix the apprentice registration fee, in an amount not to exceed the costs of issuing apprentice registration certificates and enforcing the apprentice registration provisions of this chapter, and may also by rule establish requirements relative to the manner of verification of employment, the

1 number of instructional hours completed, continuation training and the  
2 number of hours worked.

3 (a) All verification of employment forms submitted by an apprentice  
4 shall be entered into and maintained in the apprentice's file by the  
5 division of building safety. The division of building safety shall  
6 provide the apprentice online access to this information.

7 (b) An apprentice who has completed the number of instructional hours  
8 and has not taken or passed the journeyman's examination within two (2)  
9 years of completion of the instructional training hours, shall provide  
10 proof of continuation training as set by rule of the electrical board.

11 (c) An apprentice who has not advanced in apprenticeship training for  
12 a period of two (2) years shall complete continuation training as set by  
13 rule of the electrical board.

14 (3) Any person who has worked as a licensed journeyman for a period  
15 of not less than four (4) years and who has worked the number of hours as  
16 prescribed by rule of the board as a licensed journeyman electrician shall be  
17 considered as qualified to apply for a master electrician's license in this  
18 state. The Idaho electrical board, in establishing by rule the requirements  
19 for a master electrician's license, shall also take into account the  
20 applicant's performance as a journeyman electrician.

21 (4) Any person with out-of-state experience who has worked as a  
22 journeyman electrician or as an apprentice electrician for a period of four  
23 (4) years, and who has met such other requirements as established by rule  
24 of the board, shall be considered as qualified to apply for a journeyman  
25 electrician's license in this state.

26 (5) To the extent that other states which provide for the licensing  
27 of electricians provide for similar action, the administrator, on the  
28 recommendation of the Idaho electrical board, may grant licenses to  
29 electricians licensed by such other states, upon payment by the applicant of  
30 the required fee and upon furnishing proof to the board that the applicant  
31 has qualifications at least equal to those provided herein for applicants  
32 for written examinations. Applicants who qualify for a license under this  
33 subsection are not required to take a written examination.

34 SECTION 10. That Section 54-1008, Idaho Code, be, and the same is hereby  
35 amended to read as follows:

36 54-1008. DURATION OF LICENSE. (1) All licenses, including license  
37 renewals, for master electricians, journeyman electricians, ~~and~~ specialty  
38 journeyman electricians and information transport technicians shall issue  
39 for a period of three (3) years, and shall expire three (3) years from the  
40 date of issue unless renewed, revoked or suspended.

41 (2) Electrical contractor, ~~and~~ specialty electrical contractor and  
42 information transport contractor licenses ~~issued after July 1, 2002,~~ shall  
43 issue for a period of one (1) year and shall expire one (1) year from the  
44 date of issue unless renewed, revoked or suspended. Information transport  
45 helper registration cards shall be issued to licensed information transport  
46 contractors upon request and shall be effective for a period of one (1) year.  
47 Provided however, that in no instance shall an information transport helper  
48 registration card be valid if the information transport contractor license  
49 of the contractor who requested such card ceases to be valid.

1 (3) Electrical apprentice registrations issued or renewed after July  
2 1, 2009, shall be issued for a period of five (5) years.

3 (4) Electrical specialty trainee and information transport trainee  
4 registrations issued or renewed after July 1, 2009, shall be issued for a  
5 period of three (3) years.

6 (5) Each licensing period and each registration period shall end at  
7 midnight on the last day of the month of the licensing or registration  
8 period. Licenses and registrations not renewed by this date shall have  
9 expired.

10 (6) The board shall promulgate rules to provide for a staggered system  
11 of issuing and renewing licenses.

12 SECTION 11. That Section 54-1009, Idaho Code, be, and the same is hereby  
13 amended to read as follows:

14 54-1009. REVOCATION OR SUSPENSION OF LICENSES -- HEARINGS -- TAKING  
15 TESTIMONY. (1) The administrator shall have power to revoke or suspend any  
16 license if the same was obtained through error or fraud, or if the holder  
17 thereof is shown to be grossly incompetent, or has willfully violated any of  
18 the rules prescribed by the board, or as prescribed in this chapter; or has,  
19 after due notice, failed or refused to correct, within the specified time,  
20 any electrical installation not in compliance with the provisions of this  
21 chapter, or has failed to pay within the time provided, civil penalties which  
22 have become final by operation of law.

23 (2) The administrator shall have the power to revoke or suspend any  
24 electrical contractor, ~~or~~ electrical specialty contractor or information  
25 transport contractor license if, at any time during the term of active  
26 contractor, ~~or~~ specialty contractor or information transport contractor  
27 licensure, the licensee failed to maintain required liability insurance or  
28 applicable worker's compensation insurance.

29 (3) Before any license shall be revoked or suspended, the holder  
30 thereof shall have written notice enumerating the charges against him, and  
31 shall be given a hearing by said administrator, and have an opportunity  
32 to produce testimony in his behalf, at a time and place specified in said  
33 notice, which time shall not be less than five (5) days after the service  
34 thereof.

35 (a) The proceedings shall be governed by the provisions of chapter 52,  
36 title 67, Idaho Code.

37 (b) Any party aggrieved by the action of the administrator shall be  
38 entitled to judicial review thereof in accordance with the provisions  
39 of chapter 52, title 67, Idaho Code.

40 (4) The administrator shall have the power to appoint, by an order  
41 in writing, a hearing officer to take testimony, who shall have power to  
42 administer oaths, issue subpoenas and compel the attendance of witnesses,  
43 and the decision of the administrator shall be based on his examination of  
44 the testimony taken and the records produced. Any person whose license has  
45 been revoked may, after the expiration of one (1) year from the date of such  
46 revocation, but not before, apply for a new license.

47 SECTION 12. That Section 54-1010, Idaho Code, be, and the same is hereby  
48 amended to read as follows:

1        54-1010. INSTALLATIONS BY ELECTRICAL CONTRACTOR PERFORMED BY  
 2 LICENSED JOURNEYMAN -- PRIOR CERTIFICATE HOLDERS ENTITLED TO LICENSE --  
 3 LIST OF ELECTRICIANS IN CONTRACTOR'S EMPLOY. (1) On and after July 1, 1961,  
 4 any electrical contractor who works as a journeyman electrician, as herein  
 5 defined, shall be required to have a journeyman electrician's license issued  
 6 under the provisions of this act. All installations of electrical wiring,  
 7 equipment or apparatus made by an electrical contractor shall be done by or  
 8 under the direct supervision of a licensed journeyman electrician.

9        (2) The individual owner of an electrical contracting business may  
 10 act as his own journeyman electrician provided that he has complied with  
 11 the provisions of section 54-1002, Idaho Code, pertaining to journeyman  
 12 electrician. Each electrical contractor in this state shall, upon request  
 13 of the administrator, or his authorized agent, furnish a list of journeyman  
 14 electricians in said electrical contractor's employ.

15        (3) From and after July 1, 1986, any individual working as an apprentice  
 16 electrician, as defined in this act, must be registered with the division  
 17 of building safety, as an apprentice electrician, as provided in section  
 18 54-1007, Idaho Code; and it shall be unlawful for an individual to work  
 19 as an apprentice electrician without possessing a current apprentice  
 20 registration certificate.

21        (4) On and after July 1, 1999, any individual working as a specialty  
 22 electrical trainee, as defined in this chapter, must be registered with the  
 23 division of building safety, as a specialty electrical trainee. It shall be  
 24 unlawful for an individual to work as a specialty electrical trainee without  
 25 possessing a current registration certificate.

26        (5) On and after January 1, 2011, any information transport contractor  
 27 who works as an information transport technician, as defined in section  
 28 54-1003A, Idaho Code, shall be required to have an information transport  
 29 technician license issued under the provisions of this chapter. All  
 30 installations of information transport systems shall be performed by or  
 31 under the supervision of a licensed information transport technician.

32        (6) The individual owner of an information transport contracting  
 33 business may act as his own information transport technician provided  
 34 that he has complied with the provisions of section 54-1002, Idaho Code,  
 35 pertaining to information transport technicians. Each information  
 36 transport contractor in this state shall, upon request of the administrator  
 37 or the administrator's authorized agent, furnish a list of information  
 38 transport technicians in such information transport contractor's employ.

39        SECTION 13. That Section 54-1013, Idaho Code, be, and the same is hereby  
 40 amended to read as follows:

41        54-1013. RENEWAL OF LICENSES -- INACTIVE LICENSES. (1) A license once  
 42 issued under this chapter, unless revoked or suspended as herein provided,  
 43 may be renewed at any time during the final month of the licensing period  
 44 on the payment of the renewal fee herein specified, proof of satisfaction  
 45 of the continuing education requirements as established by the electrical  
 46 board, and provided that all outstanding civil penalties, and permit  
 47 or other fees, have been paid in full, and all outstanding correction  
 48 notices have been satisfactorily resolved. For electrical contractors, and  
 49 specialty electrical contractors and information transport contractors,

1 proof of liability insurance in the amount of three hundred thousand dollars  
 2 (\$300,000) shall also be required, and proof of worker's compensation  
 3 insurance shall be required if applicable.

4 (2) Any license which has expired may be revived at any time within one  
 5 (1) year from the last day of the final month of the licensing period, by  
 6 payment of the revival fee herein specified, together with all outstanding  
 7 civil penalties, and permit or other fees and penalties, and upon proof  
 8 that outstanding correction notices have been satisfactorily resolved.  
 9 For electrical contractors, ~~and~~ specialty electrical contractors and  
 10 information transport contractors, proof of liability insurance in  
 11 the amount of three hundred thousand dollars (\$300,000) shall also be  
 12 required, and proof of worker's compensation insurance shall be required if  
 13 applicable.

14 (3) Certificates of competency issued prior to July 1, 1961, shall, for  
 15 the purpose of this chapter, be considered as licenses and may be renewed or  
 16 revived as herein provided.

17 (4) The administrator may renew, on an inactive basis, the license of  
 18 an electrical contractor, ~~or~~ specialty contractor or information transport  
 19 contractor who is not engaged in electrical contracting in this state. The  
 20 board shall fix and collect an inactive license fee for such an inactive  
 21 license renewal in an amount not to exceed one hundred fifty dollars (\$150).  
 22 Each inactive license shall be issued for a period of one (1) year. An  
 23 electrical contractor, ~~or~~ specialty contractor or information transport  
 24 contractor holding an inactive license may not engage in the practice  
 25 of electrical contracting or specialty contracting in this state. If an  
 26 electrical contractor, ~~or~~ specialty contractor or information transport  
 27 contractor wishes to convert his inactive license to an active license,  
 28 he may do so by paying a processing fee of thirty dollars (\$30.00) and  
 29 providing proof of the required liability insurance and applicable worker's  
 30 compensation insurance.

31 SECTION 14. That Section 54-1014, Idaho Code, be, and the same is hereby  
 32 amended to read as follows:

33 54-1014. FEES. The administrator of the division of building safety  
 34 shall charge the following fees:

35 (1) Application for license	\$ 15.00
36 (2) One-year licenses:	
37 (a) Electrical contractor license	\$125.00
38 (b) Electrical contractor license renewal	100.00
39 (c) Electrical contractor license revival	125.00
40 (d) Specialty contractor license	125.00
41 (e) Specialty contractor license renewal	100.00
42 (f) Specialty contractor license revival	125.00
43 (g) <u>Information transport contractor license</u>	<u>125.00</u>
44 (h) <u>Information transport contractor license renewal</u>	<u>100.00</u>
45 (i) <u>Information transport contractor license revival</u>	<u>125.00</u>
46 (j) <u>Information transport helper registration card</u>	<u>5.00</u>

47 (3) Three-year licenses, in accordance with sections 54-1008 and  
 48 54-1013, Idaho Code:

49 (a) Master electrician license	\$65.00
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1	(b) Master electrician license renewal	45.00
2	(c) Master electrician license revival	55.00
3	(d) Journeyman electrician license	55.00
4	(e) Journeyman electrician license renewal	45.00
5	(f) Journeyman electrician license revival	55.00
6	(g) Specialty journeyman electrician license	55.00
7	(h) Specialty journeyman electrician license renewal	45.00
8	(i) Specialty journeyman electrician license revival	55.00
9	(j) Specialty trainee registration and working license	30.00

10 (i) At the time the specialty trainee applies for a specialty  
 11 journeyman electrician license, the pro rata value of any  
 12 remaining time on a specialty trainee working license shall  
 13 be credited toward the purchase of the specialty journeyman  
 14 electrician license.

15	<u>(k) Information transport technician license</u>	<u>55.00</u>
16	<u>(l) Information transport technician license renewal</u>	<u>45.00</u>
17	<u>(m) Information transport technician license revival</u>	<u>55.00</u>
18	<u>(n) Information transport trainee registration</u>	<u>30.00</u>

19 (i) At the time an information transport trainee applies  
 20 for an information transport technician license, the pro  
 21 rata value of any remaining time on an information transport  
 22 trainee registration shall be credited toward the purchase of an  
 23 information transport technician license.

24 (4) Five-year licenses, in accordance with sections 54-1008 and  
 25 54-1013, Idaho Code:

26	(a) Apprentice electrician registration and working license	\$50.00
27	(i) At the time the apprentice applies for a journeyman	
28	electrician license, the pro rata value of any remaining time	
29	on an apprentice electrician working license shall be credited	
30	toward the purchase of the journeyman electrician license.	

31 SECTION 15. That Section 54-1016, Idaho Code, be, and the same is hereby  
 32 amended to read as follows:

33 54-1016. EXEMPTIONS. (1) Nothing in this chapter shall ~~be deemed~~  
 34 ~~to apply to:~~ waive the requirement that all electrical and information  
 35 transport installations be installed in accordance with the provisions of  
 36 section 54-1001, Idaho Code.

37 (2) The licensing and permitting provisions found in this chapter shall  
 38 not apply to:

39 (a) Any regulated telephone or telecommunications public utility,  
 40 telephone company, rural telephone cooperative or municipal  
 41 communications utility, or its employees, in the installation or  
 42 maintenance of communication circuits, wires and apparatus by or for  
 43 such entities or their communications service customers performed on  
 44 the telephone or telecommunications public utility, rural telephone  
 45 cooperative or municipal communications utility side of the customer  
 46 demarcation point or service disconnect;

47 (b) Any electrical public utility, or its employees, in the  
 48 installation and maintenance of electrical wiring, circuits, apparatus

1 and equipment by or for such public utility, or comprising a part of its  
2 plants, lines or system;

3 (c) Modular buildings as defined in section 39-4301, Idaho Code, that  
4 are constructed in the state of Idaho for installation on building sites  
5 outside the state; provided however, that no modular building shall  
6 be installed on a building site in the state of Idaho until it has been  
7 approved and bears the insignia of approval of the division as being in  
8 compliance with the requirements set forth in section 39-4304, Idaho  
9 Code.

10 (23) The licensing provisions of this chapter shall not apply to:

11 (a) Any property owner performing electrical or information transport  
12 work in the owner's primary or secondary residence or associated  
13 outbuildings;

14 (b) Any person regularly employed as a maintenance electrician  
15 performing electrical maintenance work on the premises of the person's  
16 employer;

17 (c) Any telephone ~~company~~ or telecommunications public utility,  
18 rural telephone cooperative, or municipal communications utility,  
19 its employees, its subsidiaries, and employees of the subsidiaries  
20 performing work on customer-owned facilities under the exclusive  
21 control of the telephone company, rural telephone cooperative, or  
22 municipal communications utility;

23 (d) Any telephone ~~company~~ or telecommunications public utility,  
24 rural telephone cooperative, or municipal communications utility,  
25 its employees, its subsidiaries, and employees of the subsidiaries  
26 performing emergency repair work on customer-owned facilities at the  
27 request of the customer;

28 (e) Any electrical public utility, rural electrical cooperative,  
29 municipal power utility, its employees, its subsidiaries, and  
30 employees of the subsidiaries performing work on customer-owned  
31 facilities under the exclusive control of the electrical public  
32 utility, rural electrical cooperative, or municipal power utility; and

33 (f) Any electrical public utility, rural electrical cooperative,  
34 municipal power utility, its employees, its subsidiaries, and  
35 employees of the subsidiaries performing emergency repair work on  
36 customer-owned facilities at the request of the customer.

37 (34) The licensing provisions of this chapter shall not apply to  
38 individuals licensed pursuant to chapter 50, title 54, Idaho Code, or  
39 certificated pursuant to chapter 26, title 54, Idaho Code, as follows:

40 (a) Individuals holding a current heating, ventilation and air  
41 conditioning (HVAC) license or a current plumbing certification  
42 may install electrical circuitry from the disconnecting means to a  
43 water heater and electrical connections to the water heater as long  
44 as the disconnect is in sight from the unit and the circuit from the  
45 disconnecting means to the water heater is no more than fifty (50) feet  
46 long.

47 (b) Individuals holding a current HVAC license may install:

48 (i) Electrical space heaters with no attached ductwork;

49 (ii) Electrical connections to HVAC equipment from the  
50 disconnecting means to the unit as long as the disconnect is in

sight from the unit and the circuit from the disconnecting means to the HVAC equipment is no more than fifty (50) feet long; and

(iii) Ventilating fans, except ducted range hoods in residences.

(c) HVAC licensees may install control wiring of twenty-four (24) volt or less for HVAC equipment of five (5) tons or less in capacity. Plumbing certificate holders are not authorized to install control wiring in HVAC equipment, regardless of voltage.

(45) To the extent that a plumbing or HVAC installation permit issued by the Idaho division of building safety includes any part of an electrical installation, the permit issued and inspection performed shall be sufficient to satisfy the permitting and inspecting requirements of this chapter if all required permit fees have been paid.

(6) Information transport system licensing provisions of this chapter shall not apply to any of the following:

(a) Persons performing installations or maintenance on their own home, property or regularly employed employees working on the premises of their employer, unless on a multitenant commercial building, public building or building intended for rent, sale or lease.

(b) Persons performing work as part of a bona fide educational curriculum program or educational research, provided that any such work is confined to a single room in an educational facility.

(c) Persons performing maintenance work such as the installation, service, repair or replacement of cord-and-plug electrically connected information transport equipment connected to a properly installed NEC, UL or NEMA compliant receptacle (service outlet).

(d) Persons performing moves, adds or changes to termination hardware, patch panels, termination blocks, patch cords or cross-connects.

(7) Information transport system permitting or inspection provisions of this chapter shall not apply to any of the following:

(a) Single family, duplex, four-plex, condominium or townhouse, or multifamily residential dwellings or complexes of six (6) units or less, unless said dwelling's primary use is as a health care facility, nursing home, assisted living, group home, disabled housing, dormitory, daycare or similar facility.

(b) Installations of information transport systems with associated structured cabling systems supporting no more than ten (10) horizontal workstation outlets comprised of up to and including thirty (30) cables, unless such installation is in whole, or part, of a school, health care facility, nursing home, assisted living, group home, disabled housing, dormitory, daycare or similar facility.

(8) State agencies or any incorporated municipality, county, local government or other political subdivision of this state including educational institutions installing information transport systems on their own property shall register as an industrial account with the division of building safety and shall be permitted and inspected under the provisions of an industrial account.

(9) Apprentice electricians performing installations of information transport systems shall not be required to be under constant on-the-job supervision, provided that all such work performed on information transport



1 systems is under the supervision of a journeyman electrician, master  
2 electrician or information transport technician.

3 SECTION 16. That Section 54-1017, Idaho Code, be, and the same is hereby  
4 amended to read as follows:

5 54-1017. VIOLATIONS OF ACT A MISDEMEANOR. Any person, partnership,  
6 company, firm, association or corporation who shall engage in the  
7 trade, business or calling of an electrical contractor, journeyman  
8 electrician, master electrician, specialty electrician, specialty  
9 electrical contractor, specialty electrical trainee, ~~or~~ apprentice  
10 electrician, information transport contractor, information transport  
11 technician, information transport trainee or information transport helper  
12 without a license or required registration as provided for by this act, or  
13 who shall violate any of the provisions of this act, or the rules of the  
14 Idaho electrical board or of the administrator of the division of building  
15 safety herein provided for, or who shall refuse to perform any duty lawfully  
16 enjoined upon him by the administrator within the prescribed time; or who  
17 shall fail, neglect, or refuse to obey any lawful order given or made by the  
18 administrator shall be guilty of a misdemeanor and shall be subject to the  
19 civil penalties established by administrative rule but not to exceed one  
20 thousand dollars (\$1,000). Each day of such violation shall constitute a  
21 separate offense. A violation will be considered a second or additional  
22 offense only if it occurs within one (1) year from the first violation.